

May 26, 2004

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re:** *Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems -- ET Docket No. 00-258*

**Notice of Ex Parte Presentation**

Dear Ms. Dortch:

Today, Roger Quayle, Chief Technology Officer of IPWireless, Inc. ("IPWireless") and the undersigned as counsel to IPWireless, participated in separate telephone conversations with Jennifer Manner, Senior Counsel to Commissioner Abernathy and with Barry Ohlson, Senior Legal Advisor to Commissioner Adelstein. We reported on the recent announcement that IPWireless is now shipping wireless broadband user equipment (mobile CPE) capable of operating in both of the primary bands (1900-1920 MHz and 2010-2025 MHz) licensed to more than 120 operators in over 30 countries. Travelers will now be able to roam internationally among compatible systems in numerous European and Asian markets, but not in the U.S. We referenced IPWireless' earlier submissions in this docket (including *ex parte* presentations of December 3, 2003 and March 26, 2004), urging the Commission to adopt an internationally harmonized 3G band plan.

Sincerely,

**Gray Cary Ware & Freidenrich LLP**

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cc: Roger Quayle (via e-mail)  
Jennifer Manner (via e-mail)  
Barry Ohlson (via e-mail)